

MEMORIAL

OF

SAMUEL H. THOMPSON,

*Praying remuneration for the capture and detention of his ship, the Argo,
by the officers of the United States on the New Orleans station, &c.*

JULY 4, 1836.

Read, and ordered to be printed.

*To the honorable Senate and House of Representatives of the United States
of America in Congress assembled :*

The petition of Samuel H. Thompson

RESPECTFULLY SHEWETH :

That your petitioner was the owner of the ship Argo, which was captured and libelled in Mobile harbor by Commodore Shaw, commander of the naval forces on the New Orleans station, and Addin Lewis, the collector at Fort Stoddard ; that the ship was detained for some time, and then released ; that during the time the ship was detained, she suffered damage, which caused her final loss, for which, and the damage and losses he sustained by the illegal seizure and detention of said ship, your memorialist respectfully prays Congress to pass an act to remunerate him.

The circumstances of the case are these, viz. : At the time war was declared by the United States against Great Britain, June 18, 1812, your memorialist was in England with considerable funds for the purpose of making an investment to New Orleans ; that, on the news of the declaration of war, the orders in council were repealed, as it was supposed that would restore peace, and under that impression the English Government allowed all American merchants to invest and ship their property home. Under these circumstances your memorialist sailed from Liverpool on the 21st December, 1812, in his ship Argo, with a valuable cargo, owned by him, and bound for New Orleans. On the passage spoke a vessel from Charleston, and was informed that the repeal of the orders in council did not restore peace, and that vessels sailing from England under similar circumstances with your memorialist, had been captured and libelled for confiscation by American armed vessels ; upon which your memorialist ordered his ship to Pensacola, then a Spanish port, where the ship arrived safe, and from thence proceeded with her cargo to Mobile, then a Spanish neutral port, where she also arrived in safety. The cargo was en-

tered and duties secured to the Spanish Government, and was found there when the Spanish troops surrendered the place to the American troops, on the 15th April, 1813. Your memorialist shipped the cargo in small vessels for New Orleans, after Mobile was in the possession of the American troops. The cargo was seized by the collector at New Orleans for the duties, which your memorialist had to bond in order to get released; that on the facts being made known, Mr. Gallatin, the Secretary of the Treasury, ordered the duty bonds cancelled, and the goods restored without payment.

The *Argo* and her cargo were seized by order of Commodore Shaw; the cargo was released on bond being given by your memorialist to pay the value thereof, if it should be condemned by the court. The ship was detained for six months and more, with a crew on board, at the expense of twenty-five dollars per day. The ship was taken command of by a lieutenant, and by him and a crew from one of the gunboats, (and without lightening her,) taken into the inner harbor, which strained her very much, and chafed the cables. When the cause came to be tried in the United States district court at New Orleans, judgment was given in favor of your memorialist, and the ship and cargo were restored; that your memorialist immediately had her ballasted, and ordered her to Pensacola, where, if she had arrived safe, she would have been worth fifteen thousand dollars, as freight of cotton to Europe was at from eight to nine cents; but, in consequence of her long detention, and the abuse of the ship and cables while in possession of the captors, and not being able to get new cables at Mobile, the ship was totally lost in Mobile bay during a gale: she parted her cables, they being so injured as not to be able to hold her. The ship was per register two hundred and forty tons, and cost your memorialist seven thousand dollars, and carried seven hundred bales of New Orleans cotton, which, at Pensacola, would have yielded a freight at eight cents per pound of twenty-three thousand dollars. Your memorialist, by the illegal seizure and detention of his ship and cargo, sustained damage to the amount of upwards of forty thousand dollars. He sustained by the wear, tear, and expenses of the vessel while detained, upwards of one hundred and eighty days, at a very low calculation, five thousand dollars, for attorney's fees and other expenses of obtaining restitution, five thousand more, and for the value of the vessel, had she arrived safe at Pensacola, fifteen thousand dollars. He also lost the use of this sum of money from the time of the loss of the ship, for which he considers himself justly entitled to interest.

Your memorialist prays Congress to take his case into consideration, and make such allowance for the injuries and losses he has sustained, by the acts of the officers of the United States, as may be just and proper.

SAMUEL H. THOMPSON.